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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138

Carson City, Nevada 89706

ndep.nv.gov

Notice Of Intent To Amend Regulation

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes, NRS 233B.0603. The Administrator is proposing various amendments on the "Use of Treated Effluent (Reuse) Regulations", Nevada Administrative Code (NAC) 445A.275 through NAC 445A.280. The mission of the reuse program is to protect the waters of the State from the discharge of pollutants and to safeguard public health, while allowing for the use of treated effluent for irrigation and other acceptable uses. This is accomplished by issuing permits that define the quality of the treated effluent, the management requirements, and the operational steps necessary to protect the quality of the waters of the State and Public Health. The proposed amendments to the reuse regulations are necessary to expand the use of treated effluent in a manner that is consistent with the above stated goals.

The proposed regulation amendments focus on adding additional permitted uses of treated effluent and on better defining the treated effluent categories. NAC 445A.275(2) is revised to include further definition of secondary treatment standards and surface irrigation. NAC 445A.275(5) is being revised to better define spray controls for the protection of public health. The categories of treated effluent quality and irrigation use (NAC 445A.276) are being reorganized to match the quality of effluent with specific irrigation uses. NAC 445A.277 is being completely replaced to include addition, non-irrigative, uses of treated effluent.

The estimated adverse immediate and long-term economic effects of the proposed revisions to these regulations on the business, which it is to regulate is minimal. The permittees will have additional uses of treated effluent available and the categories of treated effluent will be easier to interpret.

There is not likely any potential for a beneficial or detrimental immediate economic effect of the proposed revisions on the business, which it is to regulate. The beneficial long-term economic effects of the proposed regulation amendments on the business, which it is to regulate, is the reduced uses of potable water for

activities that may now be met with treated effluent. The Division has not attempted to quantify this long-term beneficial effect.

The proposed regulation amendments are not expected to expand the number of facilities requiring permits, therefore, the estimated cost to the Division for enforcement of the proposed regulation will be minimal.

Workshops will be held at the following locations to discuss the proposed regulation amendments:

Carson City

Monday, April 19, 2004
8:30am – 10:00am
Western Nevada Community College
Reynolds Center for Technology Room 103
2001 W. College Parkway
Carson City, Nevada

Henderson

Friday, April 23, 2004
10:00pm – 11:30pm
Henderson Convention Center
200 Water Street
Henderson, Nevada

Elko

Monday, April 26, 2004
1:00pm – 2:30pm
Elko City Hall Council Chambers
1751 College Avenue
Elko, Nevada

Persons wishing to comment upon or object to any of the Administrator's proposed regulation amendments may do so by attending one of the workshops and making public comment, or submitting their comment, in writing, within thirty (30) days of the date of newspaper publication, either in person or by mail to:

Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
333 West Nye Lane
Carson City, Nevada 89706-0851

All comments or objections received within the thirty (30) day period will be considered in the formulation of final determinations regarding the proposed regulation amendment. If the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The proposed amendments to the regulation are on file and may be copied or copies may be obtained by writing to the above address or by contacting Joe Maez, Bureau of Water Pollution Control at (775) 687-9431 or at jmaez@ndep.nv.gov. The office facsimile number is (775) 687-4684. The proposed regulation amendment and this notice can be viewed at and/or downloaded from the following website address: <http://ndep.nv.gov/admin/public.htm>.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

Please bring the foregoing notice to the attention of all persons who may be interested in this matter.

This Notice of Intent has been posted at the following locations:

Nevada State Library
100 North Stewart Street
Carson City, NV 89701

Division of Environmental Protection
333 West Nye Lane
Carson City, NV 89706

Division of Environmental Protection
1771 East Flamingo Road Suite 121-A
Las Vegas, Nevada 89119

Main Public Library
In each county that the Division
does not maintain an office.